

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ROY LEE ANDERSON, JR.,**

**Plaintiff,**

**vs.**

**Case No.: 2:19-cv-4001  
JUDGE GEORGE C. SMITH  
Magistrate Judge Jolson**

**JUDGE TED BARROWS, et al.,**

**Defendant.**

**ORDER**

On November 5, 2019, the United States Magistrate Judge issued a *Report and Recommendation and Order* recommending that the Plaintiff's Motion for Leave to Proceed in forma Pauperis be granted and that Plaintiff's Complaint be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). (*See Report and Recommendation and Order*, Doc. 10). The parties were advised of their right to object to the *Report and Recommendation and Order*. This matter is now before the Court on Plaintiff's Objections and Motion for Leave to File an Amended Complaint. (*See Docs. 12*). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

As a preliminary matter, Plaintiff again seeks to amend his Complaint but fails to offer any additional claims that can be pursued. Therefore, allowing Plaintiff to amend his complaint would be futile and accordingly his Motion for Leave to Amend is denied.

In Plaintiff's objections, Plaintiff challenges the Magistrate Judge's conclusion that Defendant Judge Barrows is immune from suit. Plaintiff points out that there are situations where a judge is not immune from suit, however, none of those situations are present here.

Judge Barrows is entitled to judicial immunity in this case because Plaintiff's claims involved actions take by Judge Barrows in his judicial capacity.

Additionally, the Magistrate Judge concluded that Plaintiff's claims regarding administrative housing, access to phone privileges and a grievance system fail to state a cognizable liberty interest and additionally that Plaintiff names several Defendants who are absolutely immune from liability. Further, these claims were already considered and dismissed in Plaintiff's prior case, 2:19-cv-3631. Therefore, the Magistrate Judge correctly concluded that Plaintiff's Complaint fails to state a claim upon which relief can be granted. Nothing in Plaintiff's Objections cures the deficiencies of his Complaint. Therefore, for the reasons stated in detail in the *Report and Recommendation and Order*, this Court finds that Plaintiff's objections are without merit and are hereby **OVERRULED**.

The *Report and Recommendation and Order*, Document 10, is **ADOPTED** and **AFFIRMED**. Plaintiff's Motion for Leave to Proceed in forma Pauperis is **GRANTED**. Plaintiff's Complaint is hereby **DISMISSED**. The other pending motions are denied as moot.

The Clerk shall remove Documents 10, 11, 13, 15, and 16 from the Court's pending motions list and close this case.

**IT IS SO ORDERED.**

/s/ George C. Smith  
**GEORGE C. SMITH, JUDGE**  
**UNITED STATES DISTRICT COURT**